THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6642 of 2006

19.7.2007

Between:

Bommareddy Kamala Kumari, W/o.Sri B.Sitha Reddy

… Petitioner

AND

Government of Andhra Pradesh, represented by
Principal Secretary, Panchayat Raj & Rural Development,
Secretariat, Hyderabad

And others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6642 of 2006

ORDER:

The writ petition is filed assailing the order of the Government – first respondent herein; in G.O.Rt.No.412, dated 27.3.2006, whereby and whereunder the Government confirmed the order dated 19.11.2005 passed by the District Collector, Krishna District – second respondent herein; removing the petitioner as Sarpanch of Pamarru Gram Panchayat, under Section 249(1) of Andhra Pradesh Panchayat Raj Act, 1994 (the Act, for brevity).

Though the interlocutory matters are listed, it is brought to the notice of this Court that the petitioner's term expired in August 2006 and thereafter, fresh elections were conducted and a new person is elected as Sarpanch. Therefore, it is not proper for this Court to adjudicate the issue. This Court observes that whenever fresh elections are conducted after a period of five years from August 2004, disqualification would not operate on the petitioner. This Court also observes that as and when the second respondent initiates action under Section 265 of the Act, it shall be open to the petitioner to put up all the defenses and also seek redressal before appropriate forum.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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July 19, 2007 (**V.V.S.RAO, J**)

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